



**DEPARTMENT OF ENVIRONMENTAL PROTECTION**  
**Monthly Enforcement Report**  
**for actions during May 2009**  
**DISTRIBUTED: June 5, 2009**

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*This report has been prepared to satisfy a statutory obligation the Maine Department of Environmental Protection has to inform the public of certain enforcement resolutions. Please contact Peter Carney at (207) 287-4305 or [Peter.J.Carney@Maine.gov](mailto:Peter.J.Carney@Maine.gov) for additional information regarding the activities listed in this report. The full text of most Administrative Consent Agreements is available on the Board of Environmental Protection's website at <http://www.maine.gov/dep/bep/agenda.htm>.*

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The following cases were resolved to achieve compliance with the law; remediate environmental damage; restore natural resources to appropriate conditions; and impose penalties to deter similar actions in the future.

**Administrative Consent Agreements Approved by the Board of Environmental Protection and Office of the Attorney General (party followed by location):**

*Air:*

**K & M Motors, Inc., Millinocket, Maine.** K & M Motors, Inc. ("K & M") violated the Department's rule for *New Motor Vehicle Emission Standards* by selling a non-"California-Certified" vehicle. To resolve the violation, K & M paid a civil monetary penalty of \$1,354.

*Hazardous Waste:*

**Robert Gladu and Ralph Sawyer d/b/a Pepperell Associates, Lewiston, Maine.** Robert Gladu and Ralph Sawyer d/b/a Pepperell Associates ("Pepperell") violated provisions of the *Maine Hazardous Waste, Septage and Solid Waste Management Act* and the Department's rules concerning *Identification of Hazardous Wastes*, *Standards for Hazardous Waste Facilities*, and *Licensing of Hazardous Waste Facilities*. Specifically, Pepperell: discharged hazardous matter and failed to immediately report the discharges and remove the discharges to the Department's satisfaction; stored hazardous waste for longer than ninety days without a license to do so; failed to mark containers of hazardous waste with the words "Hazardous Waste" and the date upon which the accumulation began; failed to store hazardous waste on firm working surface that is impervious and constructed to prevent spillage from leaving the area; failed to store hazardous waste in a storage area which met the requirements of Department rules; failed to conduct daily inspections of the hazardous waste storage area and record the findings in a log; failed to maintain and operate the facility in a manner to minimize the possibility of fire or release of hazardous waste; failed to store hazardous waste in a manner allowing access for inspection and remedial action; failed to store universal wastes in areas designated by a clearly marked sign; failed to store universal waste in containers; failed to store universal waste lamps in containers with packing material sufficient to prevent breakage and to properly seal the container; and failed to contain broken universal waste lamps in a container that met the requirements of Department rules. To resolve the violations, Pepperell will pay a civil monetary penalty of \$31,500.

*Land:*

**William K. Sanborn, et al., Windham, Maine.** William K. Sanborn, et al. violated provisions of Maine's *Site Location of Development Law* by offering for sale to the general public within a five year period, without a permit from the Department, a subdivision of sixteen lots under a common scheme of development. In addition, William K. Sanborn, individually, violated provisions of Maine's *Natural Resources Protection Act* by dredging a stream and removing vegetation and disturbing soil adjacent to a stream without first obtaining a permit from the Department, *Water Pollution Control* laws by discharging soil to a stream without first obtaining a permit from the Department, and the *Erosion and Sedimentation Control* law by displacing or exposing soil without implementing sufficient erosion controls to prevent erosion beyond the project site or into a protected natural resource. To resolve the violations, William K. Sanborn, et al. agreed to reduce the number of lots in the subdivision to fewer than fifteen lots and agreed to submit an after-the-fact *Storm Water Management* law permit application for the subdivision and,



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if the application is approved, comply with the terms of the permit or, if the permit is denied, returned, or withdrawn, submit a restoration plan to the Department to reduce the disturbed area to less than one acre. William K. Sanborn, *et al.* will pay \$6,500 as a civil monetary penalty for the violation related to the subdivision. William K. Sanborn, individually, agreed to submit an after-the-fact *Natural Resources Protection Act* permit application for the violations related to the stream and, if the application is approved, comply with the terms of the permit or, if the permit is denied, returned, or withdrawn, submit a restoration plan to the Department to restore the stream and adjacent area. William K. Sanborn, individually, will pay \$4,000 as a civil monetary penalty for the violations related to the stream.

**District Court Enforcement Resolutions (party followed by location):**

*Land:*

**Brent C. Wakefield, Detroit, Maine.** Brent Wakefield violated provisions of Maine's *Storm Water Management* law by creating one acre or more of impervious area without prior approval from the Department. To resolve the violation, Wakefield submitted a restoration plan to the Department to reduce the total amount of impervious area to less than one acre and will pay \$3,600 as a civil monetary penalty.